

## AMENDMENTS TO THE CLAIMS

The following listing of claims will replace all prior versions and listings of claims in the application. Kindly amend Claims 1, 3, 4, 12, 14, 15 and 23 as follows. Kindly cancel Claims 2, 13 and 24.

### **LISTING OF CLAIMS**

1. (Currently Amended) A power tool leveling device, comprising:

a housing, a cavity in said housing;

a rotating member in said housing, said rotating member moving in said cavity such that said rotating member seeks an equilibrium position which corresponds to a level position;

at least one member associated with said rotating member for enabling passage of a beam through said rotating member;

an electrical circuit including an emitting device, a receiving device, and an indicator device electrically coupled such that upon activation, said emitting device emits a beam which passes through said at least one member, said beam received by said receiving device which, in turn, activates said indicator device indicating to a user that said leveling device is in or near an equilibrium position and said electrical circuit further including a device for varying current to said indicator device such that as the beam intensity at the receiver device increases, the indicator device increases in intensity; and

a power source coupled with said electrical circuit for energizing said electrical circuit.

2. (Cancelled)

3. (Currently Amended) The leveling device according to Claim [[2]] 1, wherein said device for varying current being a PNP transistor.

4. (Currently Amended) The leveling device according to Claim [[2]] 1, wherein said indicator being a light emitting device.

5. (Original) The leveling device according to Claim 4, wherein the light emitting device has a variable intensity from off to full on, when full on the leveling device being in a level position.

6. (Original) The leveling device according to Claim 1, wherein said at least one member in said rotating member being an aperture.

7. (Original) The leveling device according to Claim 6, wherein a lens positioned in said aperture for refracting said beam.

8. (Original) The leveling device according to Claim 6, wherein a lens being positioned between said rotating member and said receiving device for refracting said beam.

9. (Original) The leveling device according to Claim 6, wherein said at least one aperture being an elongated slot.

10. (Original) The leveling device according to Claim 1, wherein said at least one member being an optic fiber for refracting said beam.

11. (Original) The leveling device according to Claim 1, further comprising a switch for activating and deactivating said electrical circuit.

12. (Currently Amended) A power tool, comprising:

- a housing;
- a motor within said housing;
- an output coupled with said motor;
- an activation member for energizing said motor for rotating said output;
- a power source electrically coupled with said motor and said activation member;

and

- a leveling mechanism comprising:
  - a housing, a cavity in said housing;
  - a rotating member in said housing, said rotating member moving in said cavity such that said rotating member seeks an equilibrium position which corresponds to a level position;
  - at least one member associated with said rotating member for enabling passage of a beam through said rotating member;
  - an electrical circuit including an emitting device, a receiving device, and an indicator device electrically coupled such that upon activation, said emitting device emits a beam which passes through said at least one member, said beam received by said receiving device which, in turn, activates said indicator device indicating to a user that said leveling device is in or

near an equilibrium position and said electrical circuit further including a device for varying current to said indicator device such that as the beam intensity at the receiver device increases, the indicator device increases in intensity; and

a power source coupled with said electrical circuit for energizing said electrical circuit.

13. (Cancelled)

14. (Currently Amended) The power tool according to Claim ~~[[13]]~~ 12, wherein said device for varying current being a PNP transistor.

15. (Currently Amended) The power tool according to Claim ~~[[13]]~~ 12, wherein said indicator being a light emitting device.

16. (Original) The power tool according to Claim 15, wherein the light emitting device has a variable intensity from off to full on, when full on the leveling device being in a level position.

17. (Original) The power tool according to Claim 12, wherein said at least one member in said rotating member being an aperture.

18. (Original) The power tool according to Claim 17, wherein a lens positioned in said aperture for refracting said beam.

19. (Original) The power tool according to Claim 17, wherein a lens being positioned between said rotating member and said receiving device for refracting said beam.

20. (Original) The power tool according to Claim 17, wherein said at least one aperture being an elongated slot.

21. (Original) The power tool according to Claim 12, wherein said at least one member being an optic fiber for refracting said beam.

22. (Original) The power tool according to Claim 12, further comprising a switch for activating and deactivating said electrical circuit.

23. (Currently Amended) A power tool, comprising:

- a housing;
- a motor within said housing;
- an output coupled with said motor;
- an activation member for energizing said motor for rotating said output;
- a power source electrically coupled with said motor and said activation member;

and

- a leveling mechanism comprising:
  - a housing, a cavity in said housing;
  - a rotating member in said housing, said rotating member moving in said cavity such that said rotating member seeks an equilibrium position which corresponds to a level position;

at least one member associated with said rotating member for enabling passage of light through said rotating member;

an electrical circuit including an emitting device, a receiving device, and an indicator device electrically coupled such that upon activation, said emitting device emits a beam which passes through said at least one member, said beam received by said receiving device which, in turn, activates said indicator device indicating to a user that said leveling device is in or near an equilibrium position; and

a power source coupled with said electrical circuit for energizing said electrical circuit;

wherein said indicator device being positioned on said housing such that a user may view said indicator device from all sides of said housing when said power tool is in use and said indicator device varying in intensity.

24. (Cancelled)

25. (Original) The power tool according to Claim 23, wherein said indicator being a light emitting device.

26. (Original) The power tool according to Claim 25, wherein said light emitting device varying in brightness, being brightest when said power tool is in said level position.

27. (Original) The power tool according to Claim 23, wherein a switch is coupled with said activation member for activating said leveling device prior to activating said motor.

28. (Previously Presented) A power tool, comprising:

- a housing;
- a motor within said housing;
- an output coupled with said motor;
- an activation member for energizing said motor for rotating said output;
- a power source electrically coupled with said motor and said activation member;

and

- a leveling mechanism, said leveling mechanism including:
  - an electrical circuit including an indicator device electrically coupled such that upon activation, said indicator device varying in intensity as said leveling device approaches a level position and said indicator devices increases in intensity until said tool is level and said indicator devices decreases in intensity as said tool moves out of level; and
  - a power source coupled with said electrical circuit for energizing said electrical circuit.

29. (Previously Presented) The power tool according to Claim 28, wherein said activation member includes a position for activating said level indicator without energizing said motor.

30. (Previously Presented) A power tool leveling device, comprising:

- a housing, a cavity in said housing;
- a member in said housing, said member moving in said cavity such that said member seeks an equilibrium position which corresponds to a level position;

at least one mechanism associated with said member for enabling passage of a beam through said member;

an electrical circuit for emitting a beam which passes through said at least one mechanism, said beam being received by said electrical circuit which, in turn, indicates to a user that said leveling device is in or near an equilibrium position and said electrical circuit further varying current such that as the beam intensity increases, the indicator increases in intensity; and

a power source coupled with said electrical circuit for energizing said electrical circuit.

31. (Previously Presented) A power tool, comprising:

a housing;

a motor within said housing;

an output coupled with said motor;

an activation member for energizing said motor for rotating said output;

a power source electrically coupled with said motor and said activation member;

and

a leveling mechanism comprising:

a housing, a cavity in said housing;

a member in said housing, said member moving in said cavity such that said member seeks an equilibrium position which corresponds to a level position;

at least one mechanism associated with said member for enabling passage of a beam through said member;

an electrical circuit for emitting a beam which passes through said at least one mechanism, said beam being received by said electrical circuit which, in turn, indicates to a user



that said leveling device is in or near an equilibrium position and said electrical circuit further varying current such that as the beam intensity increases, the indicator increases in intensity; and  
a power source coupled with said electrical circuit for energizing said electrical circuit.